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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,126	07/15/2003	Stefan Kruck	3201-337 (D4700-00350)	7848
8933	7590	05/26/2004	EXAMINER	
DUANE MORRIS, LLP IP DEPARTMENT ONE LIBERTY PLACE PHILADELPHIA, PA 19103-7396				DUNWOODY, AARON M
ART UNIT		PAPER NUMBER		
		3679		

DATE MAILED: 05/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/620,126	KRUCK, STEFAN	
	<b>Examiner</b>	<b>Art Unit</b>	
	Aaron M Dunwoody	3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 15 July 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-17 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 15 July 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All    b) Some \* c) None of:
      1. Certified copies of the priority documents have been received.
      2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 10/15/03.
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

The information disclosure statement (IDS) filed 9/20/2003 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Drawings***

The drawings are objected to because the extraneous leader lines should be removed, German notations should translated into English, and proper crosshatch should be illustrated in cross-sectional illustrations. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

The disclosure is objected to because of the following informalities:

Delete, page 1, lines 17-19, because the specification is intended to support and breathe life into the claims, not vice versa.

As provided in 37 CFR 1.77(b), the specification of a utility application should include title headings in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading.

Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. In particular, claim 1 fails to provide a transitional phrase such as "comprising".

Further, claim 1 recites, "A plug-in connector"; however, none of the dependent claim language or the claims further define the plug-in connector.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by German patent DE 19911574 A1.

In regards to claim 1, as best understood, in Figure 4, German patent DE 19911574 A1 discloses a plug-in connector for plumbing fixtures having a plug-in bushing associated to the plumbing fixture, an undercut associated to the plug-in bushing, a line to be connected to the plumbing fixture, and a flange attached near the end of the line that has a perimeter having other than a circular shape and that may be brought into engagement with the undercut by rotating it, after the line end has been pushed into the plug-in bushing.

In regards to claim 2, as best understood, in Figure 4, German patent DE 19911574 A1 discloses the undercut being configured such that the line, along with the flange, may be rotated to the extent that withdrawal of the line from the plug-in bushing will be prevented.

In regards to claim 3, as best understood, in Figure 4, German patent DE 19911574 A1 discloses the undercut being configured such that the undercut and flange will be wedged together when the line is rotated.

In regards to claim 4, as best understood, in Figure 4, German patent DE 19911574 A1 discloses the flange being configured such that the undercut and flange will be wedged together when the line is rotated.

In regards to claim 5, as best understood, in Figure 4, German patent DE 19911574 A1 discloses the undercut and flange jointly formed a bayonet connector.

In regards to claim 6, as best understood, in Figure 4, German patent DE 19911574 A1 discloses the undercut formed on one side of the plug-in bushing only.

In regards to claim 7, as best understood, in Figure 4, German patent DE 19911574 A1 discloses the undercut being formed around the end of the line.

In regards to claim 8, as best understood, in Figure 4, German patent DE 19911574 A1 discloses the undercut being at least partially formed ahead of the plug-in bushing.

In regards to claim 9, as best understood, in Figure 4, German patent DE 19911574 A1 discloses the plug-in bushing being formed in an adapter element, situated between a mixer cartridge and the housing of the plumbing fixture.

In regards to claim 10, as best understood, in Figure 4, German patent DE 19911574 A1 discloses the undercut being formed in the housing of the plumbing fixture.

In regards to claim 11, as best understood, in Figure 4, German patent DE 19911574 A1 discloses the undercut being formed in the adapter element.

In regards to claim 12, as best understood, in Figure 4, German patent DE 19911574 A1 discloses the ends of the undercut in the adapter element being open and may be closed by inserting the adapter into the housing of the plumbing fixture.

In regards to claim 13, as best understood, in Figure 4, German patent DE 19911574 A1 discloses the ends of the plug-in bushing in the adapter element being open and may be closed by inserting the adapter into the housing of the plumbing fixture.

In regards to claim 14, as best understood, in Figure 4, German patent DE 19911574 A1 discloses the flange being located at a distance from the free end of the line.

In regards to claim 15, as best understood, in Figure 4, German patent DE 19911574 A1 discloses an axial force acting on the flange forces it up against the undercut in order to clamp the end of the line in the plug-in bushing.

In regards to claim 16, as best understood, in Figure 4, German patent DE 19911574 A1 discloses an elastic element being provided in order to exert the axial force acting on the flange.

In regards to claim 17, as best understood, in Figure 4, German patent DE 19911574 A1 discloses the elastic element being formed in an O-ring.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure because it illustrates the inventive concept of the invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M Dunwoody whose telephone number is 703-306-3436. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P Stodola can be reached on 703-306-5771. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Aaron Dunwoody  
Patent Examiner  
Technology Center 3670